

Docket No.: BOC9-2003-0094 (465)

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

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the specification of which is attached hereto and identified by the Attorney Docket Number appearing above.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

**Prior Foreign Application(s)**

<u>Number</u>	<u>Country</u>	<u>Day/Month/Year</u>	<u>Priority Claimed</u>
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I hereby claim the benefit (a) under Title 35, United States Code, § 119(e) of any U.S. application listed below and identified as a provisional application, or (b) under Title 35, United States Code, § 120 of any U.S. application listed below and not identified as a provisional application, and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior U.S. application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information material to the patentability of this application as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

**Prior U.S. Application(s)**

<u>Serial Number</u>	<u>Filing Date</u>	<u>Status</u>
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

J. Rodman Steele, Jr.	Reg. No. 25,931	Theodore M. Green	Reg. No. 41,801
Gregory A. Nelson	Reg. No. 30,577	Michael K. Dixon	Reg. No. 48,685
Joseph W. Bain	Reg. No. 34,290	Sarah E. Smith	Reg. No. 50,488
Stanley Kim	Reg. No. 42,730	Amy A. Ostrom	Reg. No. 52,088
Mark D. Passler	Reg. No. 40,784	Brian K. Buchheit	Reg. No. 52,687
Kevin T. Cuenot	Reg. No. 46,283	Margaret J. McLaren	Reg. No. 53,303
Neil R. Jetter	Reg. No. 46,803	Peter A. Chiabotti	Reg. No. 54,603
Pablo Meles	Reg. No. 33,739	Richard A. Tomlin	Reg. No. 24,449

Send correspondence to Gregory A. Nelson, Akerman Senterfitt, 222 Lakeview Avenue, Fourth Floor, P.O. Box 3188, West Palm Beach, Florida 33402-3188 and direct all telephone calls to Gregory A. Nelson at (561) 653-5000.

First Inventor:	Thomas E. CREAMER	
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Signature:  12/15/2003

Residence: Boca Raton, FL Date

Citizenship: United States

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Address:

Second Inventor:	Peeyush JAISWAL	
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Signature:  12/15/2003

Residence: Boca Raton, FL Date

Citizenship: United States

Post Office: 10511 PlainView Circle, Boca Raton, FL 33498  
Address:

Third Inventor:	Victor S. MOORE	
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Signature:  12/15/2003

Residence: Boynton Beach, FL Date

Citizenship: United States

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**RECORDATION FORM COVER SHEET  
PATENTS ONLY**

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

Thomas E. Creamer  
Peeyush Jaiswal  
Victor S. Moore

Additional name(s) of conveying party(ies) attached?  Yes  No

## 3. Nature of conveyance:

<input checked="" type="checkbox"/> Assignment	<input type="checkbox"/> Merger
<input type="checkbox"/> Security Agreement	<input type="checkbox"/> Change of Name
<input type="checkbox"/> Other:	

Execution Dates: 12/15/03, 12/15/03, 12/15/03

## 4. Application number(s) or patent number(s):

If this document is being filed with a new application, the execution date of the application is:  
12/15/03, 12/15/03, 12/15/03

## A. Patent Application No.(s)

## B. Patent No.(s)

Additional numbers attached?  Yes  No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Gregory A. Nelson, Esquire

Internal Address:

Street Address: AKERMAN SENTERFITT  
P.O. Box 3188  
West Palm Beach, FL 33402-3188

6. Total number of applications and patents involved: One

7. Total Fee (37 CFR 34) .....\$40.00

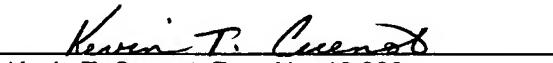
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## 9. Statement and signature:

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

  
 Kevin T. Cuenot, Reg. No. 46,283

  
 Date

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**ASSIGNMENT****WHEREAS**, we:

(1)	Thomas E. Creamer County of Palm Beach	Of Boca Raton and State of Florida
(2)	Peeyush Jaiswal County of Palm Beach	Of Boca Raton and State of Florida
(3)	Victor S. Moore County of Palm Beach	Of Boynton Beach and State of Florida

have invented certain improvements in

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and executed a United States patent application therefore on the following date(s):

(1) 12/15/2003  
(2) 12/15/2003  
(3) 12/15/2003

Whereas, INTERNATIONAL BUSINESS MACHINES CORPORATION, a corporation of New York, having a place of business at New Orchard Road, Armonk, New York, 10504 (hereinafter called IBM), desires to acquire the entire right, title and interest in the application and invention, and to any United States and foreign patents to be obtained therefore;

Now therefore, for a valuable consideration, receipt whereof is hereby acknowledged, we, the above named, hereby acknowledge our prior existing obligation and hereby sell, assign, and transfer to IBM, its successors and assigns, the entire right, title and interest in the application and invention therein disclosed for the United States and foreign countries, and all rights of priority resulting from the filing of the United States application, and we request the Commissioner of Patents to issue any Letters Patent granted upon the invention set forth in the application to IBM, its successors and assigns; and we hereby agree that IBM may apply for foreign Letters Patent on invention and we will execute all papers necessary in connection with the United States and foreign applications when called upon to do so by IBM.

**SIGNED AND SEALED:**

	<u>LOCATION</u>	<u>DATE</u>	<u>SIGNATURE</u>
(1)	<u>Boca Raton, FL</u>	<u>12/15/2003</u>	 Thomas E. Creamer
(2)	<u>Boca Raton, FL</u>	<u>12/15/2003</u>	 Peeyush Jaiswal
(3)	<u>Boca Raton, FL</u>	<u>12/15/2003</u>	 Victor S. Moore